



P20417.A16

Customer No.: 7055

8/21

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Thomas Thor  e SCHERB et al. Confirmation No.: 5460
Appln. No. : 09/769,464 Group Art Unit: 1731
Filed : January 26, 2001 Examiner: E. J. Hug
For : MACHINE AND PROCESS FOR PRODUCING A TISSUE WEB

**RESPONSE TO NOTICE OF DRAWING INCONSISTENCY WITH
SPECIFICATION**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice of Drawing Inconsistency with Specification mailed on May 27, 2004, reconsideration and withdrawal of the Notice made therein are respectfully requested, in view of the following remarks. Inasmuch as the Notice sets a one-month shortened statutory period which expires June 28, 2004 (June 27, 2004 being a Sunday), this response is being timely filed.

In the Notice of Drawing Inconsistency with Specification mailed on May 27, 2004, the Examiner acknowledged receipt of the drawings filed May 15, 2003, but indicated an inconsistency between drawings and the specification, i.e., a brief description of Figures 8 - 10 is not contained in the application. Applicants submit that this Notice has been forwarded in error, and request confirmation that the drawings are acceptable and issuance of the U.S.

Letters Patent.

Applicants note that, as originally filed, the instant application contained Figures 1 - 7, and that, during prosecution of the application, Figure 3 was amended. On May 15, 2003, Applicants submitted one sheet of formal drawings containing Figure 3, along with a cover letter indicating that formal drawings for Figures 1, 2, and 4 - 7 were previously submitted, such that the official file contains formal drawings of Figures 1 - 7. Moreover, no other drawings were forwarded with Figure 3, nor were any Figures other than Figures 1 - 7 mentioned in the correspondence.

Thus, Applicants cannot understand the June 28, 2004 Notice regarding Figures 8 - 10, as such Figures were not forwarded to the U.S. Patent and Trademark Office. Moreover, in reviewing the image wrapper available on the PAIR system, Applicants note that only 1 sheet of drawings (Figure 3) is shown as being submitted on May 15, 2003.

Accordingly, Applicants submit that the June 28, 2004 Notice was forwarded in error and should be withdrawn. Moreover, Applicants request that the instant application be processed for issuance.

Should there be any questions or comments, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Thomas Thor   SCHERB et al.


Neil F. Greenblum
Reg. No. 28,394 

June 25, 2004
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191